

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

THE DAILY WIRE, LLC *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT
OF STATE, *et al.*,

Defendants.

Civil Action No.: 6:23-cv-00609 (JDK)

JOINT MOTION TO STAY PROCEEDINGS

All parties to this case jointly and respectfully move this Court for a 60-day stay of the above-captioned case until February 18, 2025. Absent Congressional action, the Global Engagement Center (“GEC”) will terminate on December 23, 2024—in three days. *See* Defs. Notice of Case Development at 1, ECF No. 91. As of this filing, Congress has not extended the termination of GEC, and it remains Defendants’ understanding that reauthorization is unlikely to occur. If the GEC—the focus of a significant portion of Plaintiffs’ Complaints—is disbanded, it is unclear what the implications for this case will be, including with respect to reallocation of GEC’s funding and activities. Further, the parties reasonably anticipate that the upcoming change in Administration may affect the plans for future activities of the Defendants and the nature and scope of any resolution to this case. Because of the lack of clarity surrounding these crucial issues, the parties agree that a stay of proceedings is in order.

The parties agree to the following conditions:

1. Defendants represent that, at this time and consistent with currently applicable law, Defendants intend to make funds available for programs to counter foreign propaganda and

disinformation only for the purpose of countering such efforts by foreign state and non-state actors abroad. *See* Section 7074(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2024 (Div. F, P.L. 118-47), as carried forward by the Continuing Appropriations Act, 2025 (Div. A, P.L. 118-83).

2. During the stay, Media Plaintiffs will be able to grant extensions to and continue to confer with third parties regarding their responses to subpoenas and be able to accept documents from third parties pursuant to the subpoenas that have already been served.

3. Media Plaintiffs reserve the right to move the Court to lift the stay if they believe that a stay is no longer appropriate, including if Defendants engage in conduct similar to that set forth in the Complaint and harmful to Media Plaintiffs. Defendants in turn reserve the right to oppose any such motion and do not agree that any of the conduct alleged in the Complaint has harmed Media Plaintiffs. The parties will meet and confer before any such motion to lift the stay is filed, in accordance with this Court's local rules.

4. At the end of the stay period, the parties agree to confer and, by February 25, 2025, advise the Court of their position on appropriate next steps. If Plaintiffs determine that expedited discovery and a preliminary injunction briefing schedule are still needed at the end of the stay period, the parties agree to present a proposed schedule. Any such schedule would allow for at least two weeks to complete the expedited discovery activities that are outstanding under the current schedule, and would also allow adequate time for the parties to confer regarding any disputes concerning outstanding expedited depositions.

For the forgoing reasons and in the interest of judicial and party economy, the parties request that the Court enter a stay until February 18, 2025 subject to the terms above.

DATED: December 20, 2024

Respectfully submitted,

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Counsel for Defendants

CERTIFICATE OF CONFERRAL

Counsel for all Plaintiffs and counsel for Defendants held a telephonic conferral regarding this motion on December 19, 2024 and further conferred by email on December 20, 2024 to reach agreement on this Joint Motion.

/s/Zhonette Brown
Zhonette Brown

CERTIFICATE OF SERVICE

I hereby certify that, on December 20, 2024, I caused a true and correct copy of the foregoing to be filed by the Court's electronic filing system, to be served by operation of the Court's electronic filing system on counsel for all parties who have entered in the case.

/s/Zhonette Brown
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